

AO 240 (Rev. 10/03)

UNITED STATES DISTRICT COURT

Northern

District of

California

Annie R. Smith

Plaintiff

V.

U.S. Dept of Ed, et al.,

Defendant

APPLICATION TO PROCEED
WITHOUT PREPAYMENT OF
FEES AND AFFIDAVIT

CASE NUMBER: CV 07-04885 CW

FILED
JAN 14 2008
RICHARD W. WIEKING
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

I, Annie R. Smith declare that I am the (check appropriate box)
☒ petitioner/plaintiff/movant ☐ other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC §1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated? ☒ Yes ☒ No (If "No," go to Part 2)

If "Yes," state the place of your incarceration _____

Are you employed at the institution? _____ Do you receive any payment from the institution? _____

Attach a ledger sheet from the institution(s) of your incarceration showing at least the past six months' transactions.

2. Are you currently employed? ☐ Yes ☒ No
 a. If the answer is "Yes," state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No," state the date of your last employment, the amount of your take-home salary or wages and pay period and the name and address of your last employer.

Retired July 15, 2005 \$300 WK from:

Merita Bakery-Interstate Brands
301 I-85 South
Charlotte, NC 28208

3. In the past 12 twelve months have you received any money from any of the following sources?

- | | | |
|---|---|--|
| a. Business, profession or other self-employment | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| b. Rent payments, interest or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| c. Pensions, annuities or life insurance payments | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| d. Disability or workers compensation payments | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| e. Gifts or inheritances | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| f. Any other sources | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

If the answer to any of the above is "Yes," describe, on the following page, each source of money and state the amount received and what you expect you will continue to receive.

Monthly Pension: \$1,100.⁰⁰

Social Security: \$700.⁰⁰

4. Do you have any cash or checking or savings accounts?

☒ Yes

☐ No

If "Yes," state the total amount.

\$750.⁰⁰

5. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or any thing of value?

☒ Yes

☐ No

If "Yes," describe the property and state its value.

A house in Charlotte, NC, approx. \$96,000 with mortgage.

2000 Chevy Venture Van

1999 Volkswagen Jetta Car

2004 GMC Sierra

6. List the persons who are dependent on you for support, state your relationship to each person and how you contribute to their support.

I declare under penalty of perjury that the above information is true and correct.

Date

Signature of Applicant

NOTICE TO PRISONER: A Prisoner seeking to proceed without prepayment of fees shall submit a statement showing all assets. In addition, a prisoner must attach a statement certified by the appropriate institution showing all receipts, expenditures, and balances during the last six months in your institutional account. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement for each account.